

NOTICE OF PUBLIC HEARING

Pursuant to Hawaii Revised Statutes ("HRS") section 431:2-201 and chapter 91, notice is hereby given that the Insurance Division ("Division") will hold a public hearing on Wednesday, October 25, 2006, at 10:00 am, in the Queen Kapiolani Conference Room, 2nd Floor, King Kalakaua Building, Department of Commerce and Consumer Affairs, 335 Merchant Street, Honolulu, Hawaii, to hear all persons interested in the proposed amendment and compilation of Hawaii Administrative Rules ("HAR") Chapter 16-171 entitled "Miscellaneous Insurance Rules."

The purpose of the proposed amendments is to clarify procedures and requirements of insurers when payments of claims are made to third-party claimants' attorneys. The proposed amended rules repeal references to a claimant's "designated representative" and § 16-171-102, involving payments to designated representatives and the notice to insureds, and adds a new section which mandates that insurers provide written notice to third-party claimants when payments of claims are made to the claimants' attorneys. The proposed amendments are contained in Subchapter 1 of HAR Chapter 16-171.

All interested persons shall be afforded the opportunity to submit data, views, or arguments, orally or in writing, to the Insurance Division at the time of hearing. All written and oral submissions regarding the proposed rules shall be fully considered. All persons wishing to submit written testimony are requested to submit 10 copies of their written testimony by Monday, October 16, 2006, to the Insurance Division at the address noted below.

A copy of the proposed rules will be mailed to any interested person who requests a copy and pays the Insurance Division's required fee of \$4.00 for the copy and postage. Please submit your request to the Insurance Division at the address noted below or contact the Division's Office Services Branch via telephone at (808) 586-2790.

A copy of the proposed rules may be obtained before the date of the hearing between 7:45 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, at the following address: Department of Commerce and Consumer Affairs, Insurance Division, 335 Merchant Street, Room 213, Honolulu, Hawaii 96813. A \$3.00 charge will be due and payable at the time of picking up the proposed rules.

Further, the proposed rules may be reviewed in person free of charge at the Insurance Division at the address and hours of operation noted above. In addition, the full text of the proposed rules is available for review and can be downloaded free of charge from the website of the Department of Commerce and Consumer Affairs: http://www.hawaii.gov/dcca/main/har/proposed_har.

Individuals who require special needs accommodations are invited to call John Wienert at (808) 586-2790 at least four (4) working days prior to the hearing. The Insurance Division intends to make its decision on the proposed rules at the time of the hearing. However, in the event the Insurance Division decides to take the decision on the proposed rules under advisement, it will announce the date when it intends to make its decision.

J. P. Schmidt
Insurance Commissioner
State of Hawaii